
ORDER OF THE STATE PERSONNEL BOARD

LINDA K. PAINE,

Complainant,

v.

DEPARTMENT OF HUMAN SERVICES,

COLORADO STATE VETERANS CENTER,

Respondent.

The State Personnel Board (the "Board") met in public session on Tuesday, February 15, 2000. During this public session the Board considered the record on appeal, including but not limited to the Initial Decision of the Administrative Law Judge, Opening Brief of Complainant, Respondent's Answer Brief and Complainant's Reply Brief.

The following order is entered:

The Board adopts the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge, and affirms the Initial Decision of the Administrative Law Judge. In so ruling, the Board notes that the event involving a resident on June 12, 1999 was so serious and flagrant as to warrant discipline. Thereby, providing progressive discipline in compliance with Board Rule R-6-6, 4 CCR 801 was not necessary. It notes that such is the case despite the "team" being charged with care of the resident and despite pending incomplete corrective action.

This order represents the affirmative vote of the following Board members:

Joy Hoffman, Genola McCartee, Lee Duran and Joyce Lottner.

Dated this _____ day of February, 2000.	
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Joy Hoffman
Board Chair
State Personnel Board
1120 Lincoln Street, Suite 1420
Denver, CO 80203

NOTICE OF APPEAL

Each party has the following rights:

To abide by this decision of the State Personnel Board; or

To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4106(11), C.R.S. (1999), as provided in Section 24-50-125.4(3), C.R.S. (1999).

In the event the decision is appealed, the Board requests that a copy of the Notice of Appeal filed with the Court of Appeals also be filed with the State Personnel Board at: 1120 Lincoln Street, Suite 1420, Denver, CO 80203. Such will aide in the timely preparation of the record.

CERTIFICATE OF MAILING

This is to certify that on the _____ day of _____, 2000, I placed true copies of the foregoing ORDER OF THE STATE PERSONNEL BOARD, in the United States mail, postage prepaid, addressed as follows:

Castelar M. Garcia, Esq.
M. Elizabeth Garcia, Esq.
420B San Juan Avenue
P.O. Box 90
Alamosa, CO 81101

And in the interagency mail, addressed as follows:

Jeannette Walker Kornreich
Assistant Attorney General
1525 Sherman Street, 5th Floor
Denver, CO 80203